

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1208

Introduced by Assembly Member Frazier

February 27, 2015

An act to amend Section 7058 of the Business and Professions Code, *and to amend Section 13196.5 of the Health and Safety Code*, relating to contractors.

LEGISLATIVE COUNSEL’S DIGEST

AB 1208, as amended, Frazier. ~~Specialty-contractors:~~ *contractors: automatic fire extinguisher systems: license exemption.*

Existing law, the Contractors’ State License Law, provides for the licensure and regulation of contractors by the Contractors’ State License Board within the Department of Consumer Affairs. That law provides for the classification of a speciality contractor and defines a “specialty contractor” as a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts, as provided. *That definition includes a contractor whose operations include the business of servicing or testing fire extinguishing systems.*

~~This bill would make nonsubstantive changes to that definition.~~

Existing law requires the State Fire Marshal to adopt and administer the regulations and building standards he or she deems necessary in order to establish and control a program for servicing, testing, and maintaining all automatic fire extinguishing systems, including, but not limited to, fire sprinkler systems. Existing law prohibits any person from engaging in the business of servicing or testing automatic fire

extinguishing systems without a license issued by the State Fire Marshal, but exempts from this prohibition a specialty contractor whose operations include the business of servicing or testing fire extinguishing systems.

This bill would instead exempt any specialty contractor, as that term is defined under existing law, from the prohibition on engaging in the business of servicing or testing automatic fire extinguishing systems without a licence from the State Fire Marshal.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7058 of the Business and Professions
2 Code is amended to read:

3 7058. A specialty contractor is a contractor whose operations
4 involve the performance of construction work requiring special
5 skill and whose principal contracting business involves the use of
6 specialized building trades or crafts. A specialty contractor
7 includes all of the following:

8 (a) A contractor whose operations include the business of
9 servicing or testing fire extinguishing systems.

10 (b) A contractor whose operations are concerned with the
11 installation and laying of carpets, linoleum, and resilient floor
12 covering.

13 (c) A contractor whose operations are concerned with preparing
14 or removing roadway construction zones, lane closures, flagging,
15 or traffic diversions on roadways, including, but not limited to,
16 public streets, highways, or any public conveyance.

17 SEC. 2. Section 13196.5 of the Health and Safety Code is
18 amended to read:

19 13196.5. (a) Except as provided in subdivisions (b), (c), and
20 (d), no person shall engage in the business of servicing or testing
21 automatic fire extinguishing systems without a license issued by
22 the State Fire Marshal pursuant to this chapter.

23 (b) Persons who engage in the business of servicing or testing
24 fire alarm devices, water flow alarm devices, or the supervisory
25 signaling components of automatic fire extinguishing systems shall
26 not be subject to the licensing requirements contained in this
27 chapter.

1 (c) Industrial systems may be serviced or tested by, or under
2 the supervision of, an engineer employed by a private entity who
3 shall not be subject to the licensing requirements contained in this
4 chapter unless he or she performs the service or testing for a fee
5 outside of the employment relationship.

6 (d) Any specialty contractor, as defined in ~~subdivision (b) of~~
7 Section 7058 of the Business and Professions Code, shall not be
8 subject to the licensing requirements contained in this chapter.

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